

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Nicolai Papke

Application No.: 10/506,553

Confirmation No.: 1658

Filed: October 6, 2004

Art Unit: 1712

For: POLYOXYMETHYLENE MOULDING  
COMPOUND AND MOLDED BODY  
PRODUCED THEREFROM

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Examiner: A. Toscano

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

MS Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Non-Compliant Appeal Brief dated May 12, 2008,  
applicant resubmits section VI. of the Appeal Brief filed April 28, 2008.

VI. **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

1. Claims 1 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki (JP 06240105) (“Miyawaki”) in view of Linder (US 4683267)(“Linder”).
2. Claims 1 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki and Linder in view of Yabuta (US 5889115)(“Yabuta”).
3. Claims 1 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki and Linder in view of Bederke (US 5426156)(“Bederke”).
4. Claims 1, 2, 7, 11, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natarajan (US 4480071)(“Natarajan”) in view of Linder.
5. Claims 1, 2, 7, 11, 15, 16, and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natarajan and Linder in view of Yabuta.
6. Claims 1, 2, 7, 11, 15, 17, and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natarajan and Linder in view of Bederke.
7. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natarajan and Linder in view of Bederke of Yabuta in further view of Sharma (US 6090319) (“Sharma”).

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2       8.     Claims 1, 2, 3, 7, 9, 10, 11, 15, 16 and 17 were rejected under the judicially created  
3            Doctrine of Obviousness-type double patenting over Claims 1, 4, 9, 10-12, 16-24 of  
4            co-pending Application Serial No. 10/506,541 now issued Patent No. 7,169,887 (“the  
5            ‘887 patent”) in view of Laughner.

**REMARKS**

The Notification of Non-Compliant Appeal Brief states that the Appeal Brief filed by Applicant on April 28, 2008 fails to give a concise statement of each ground of rejection presented for review. Applicant has amended section VI. of the Appeal Brief as requested. It is noted in the Advisory Action, the Examiner indicated that Applicants' proposed amendments to claims 1, 2, 7, 9-11 and 15-27, would be entered. The Examiner indicated that the 35 USC 112 rejection with respect to claim 7 has been overcome by this amendment.

Appellants believe no fee is due with this response. However, if any additional fee is due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 03-2775, under Order No. 05887-00368-US, from which the undersigned is authorized to draw.

Dated: June 11, 2008

Respectfully submitted,

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